

STATEMENT OF PURPOSE

RS21369

Negotiated rulemaking is often a critically important step for state agencies to take in developing rules based on consensus and the best information and expertise available from the private and public sectors. This legislation strengthens the legislature's statement of support for negotiated rulemaking by clarifying its purposes and providing minimum procedures to enhance public notice and participation. This legislation is consistent with the attorney general's standards and procedures for negotiated rulemaking in IDAPA 04.11.01, 800-819. In 2005, the legislature incorporated similar provisions to secure public participation in the development of total maximum daily loads (TMDLs) through House Bill No. 145, amending Idaho Code Section 39-3611.

FISCAL NOTE

Potential increased agency costs in conducting negotiated rulemaking as proposed by this legislation will be offset by corresponding savings in formal rulemaking proceedings on proposed rules that have an improved technical basis, increased consensus, and for which issues have been resolved or more clearly identified through negotiation.

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